

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

RUSSELL SCOTT SHICK, )  
Plaintiff )  
vs. )  
 )  
JEFF HORNBERGER, Warden; ALL ) Civil Action No. 05-306  
MEDICAL PERSONNEL, Names ) Judge Donetta W. Ambrose/  
Unknown-Drs/Health Care ) Magistrate Judge Amy Reynolds Hay  
Providers; JANNA ALTOBELLi, )  
LPN; DAVID G. CYPHERT, Vice )  
Chairperson; RONALD CRAMER, )  
M.D.; DONNA HARTLE, )  
Chairperson; DONNA OBERLANDER,)  
Chairperson, )  
Defendants )

O R D E R

AND NOW, this 16<sup>th</sup> day of Feb., 2006, after the plaintiff, Russell Scott Shick, filed an action in the above-captioned case, and after a Report and Recommendation was filed by the United States Magistrate Judge granting the parties ten days after being served with a copy to file written objections thereto, and no objections having been filed, and upon independent review of the record, and upon consideration of the Magistrate Judge's Report and Recommendation, which is adopted as the opinion of this Court,

IT IS ORDERED that the complaint is dismissed for failure to prosecute;

IT IS FURTHER ORDERED that, pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, if the plaintiff desires to appeal from this Order he must do so within thirty (30) days by filing a notice of appeal as provided in Rule 3, Fed.R.App.P.

Donetta W. Ambrose

DONETTA W. AMBROSE  
Chief United States District Judge

cc: Honorable Amy Reynolds Hay  
United States Magistrate Judge

Russell Scott Shick  
P.O. Box 76  
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